

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**JIMI ROSE,**  
**Plaintiff,**

**v.**

**ED PAWLOWSKI, et al.,**  
**Defendants.**

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**CIVIL ACTION NO. 19-CV-3853**

**ORDER**

AND NOW, this 21<sup>st</sup> day of November, 2019, upon consideration of Plaintiff Jimi Rose's Motion to Proceed *In Forma Pauperis* (ECF No. 1), Complaint (ECF No. 2), Letter (ECF No. 4) and "Motion and Request for Court Ruling" (ECF No. 5), it is **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED** pursuant to 28 U.S.C. § 1915.
2. The Complaint is **DEEMED** filed.
3. The Complaint is **DISMISSED** pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for the reasons in the Court's Memorandum as follows:
  - a. Rose's claims related to the fees for trash-collection services and the sale of his property at 2327 Hanover Avenue in Allentown Pennsylvania are **DISMISSED WITH PREJUDICE** as time-barred.
  - b. Rose's remaining claims are **DISMISSED WITHOUT PREJUDICE** to amendment in accordance with paragraph four (4) of this Order.
4. Rose may file an amended complaint within thirty (30) days of the date of this Order only as to those claims the Court has dismissed without prejudice. **Rose may not reassert any claims related to the property at 2327 Hanover Avenue in Allentown Pennsylvania because the Court has concluded that those claims are time-barred.** Any amended

complaint must identify all defendants in the caption of the amended complaint in addition to identifying them in the body of the amended complaint and shall state the basis for Rose's claims against each defendant. The amended complaint shall be a complete document that does not rely on the initial Complaint or other papers filed in this case to state a claim. When drafting his amended complaint, Rose should be mindful of the Court's reasons for dismissing the claims in his initial Complaint as explained in the Court's Memorandum. Upon the filing of an amended complaint, the Clerk shall not make service until so **ORDERED** by the Court.

5. The Clerk of Court is **DIRECTED** to send Rose a blank copy of this Court's current standard form to be used by a self-represented litigant filing a civil action bearing the above-captioned civil action number. Rose may use this form to file his amended complaint if he chooses to do so.

6. The "Motion and Request for Court Ruling" (ECF No. 5) is **DENIED AS MOOT**.

7. If Rose fails to file an amended complaint in accordance with this Order, his case may be dismissed without further notice for failure to prosecute.

**BY THE COURT:**

/s/ Jeffrey L. Schmehl  
**JEFFREY L. SCHMEHL, J.**